BY-LAW NUMBER 7P90

Being a By-law of the City of Calgary to amend the City of Calgary Land Use By-law.

WHEREAS it is desirable to amend The City of Calgary Land Use By-law Number 2P80;

AND WHEREAS Council has held a public hearing as required by Section 139 of the Planning Act, R.S.A. 1980, Chapter P-9;

NOW THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The City of Calgary Land Use By-law, being By-law 2P80, is hereby amended as follows:

2. Section 4 is amended by adding the following subsection:

"(36.1) educational establishment means the use of a building, used or previously used as a public or separate school, for:

(a) post secondary education, including but not limited to, adult education, vocational training, college/university courses; or

(b) administration and support services required at the community level by public agencies in the delivery of their programs."

3. Section 4(84) is deleted and the following substituted therefor:

"(84) public or quasi-public building means a building which is available to the public for the purpose of assembly, instruction, culture or community activity, including but not limited to, a church, a library, a museum, an art gallery and the recreational, social, or educational activities of a public group or organization."

4. Section 4 is amended by adding the following subsection:

"(84.1) public group or organization means a group or organization within residential communities providing recreational, social, or educational programs for the benefit of youths or seniors, including but not limited to, such groups as the Girl Guides, Boy Scouts, Cadets, youth clubs and senior citizen groups but does not include a private club or organization."

5. Section 4(91) is deleted and the following substituted therefor:

"(91) school, private means a school, other than a school operated by a School Board under the School Act, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education."

6. Section 4 is amended by adding the following subsection:

"(92.1) school purposes means those non-instructional uses that a School Board engages in as part of their responsibilities under the School Act."

7. Section 18(2) is amended under the headings "Schools" by deleting

"Senior high schools	i)	1 space per 20 students based on the projected capacity, and
	ii)	1 space per 10 seating spaces for public auditoriums or gymnasiums, or 1 space per 9 square metres used in service of the public, whichever is the greater"

and by substituting the following therefor:

"Senior high schools	i)	1 space per 5 day time students based on operating capacity.
	ii)	1 space per 1.2 staff based on operating capacity."

8. Section 18(2) is amended under the heading "Schools", by adding the following after "Senior high schools":

"Educational Establishment	1 space per 1.5 students based on the operating capacity."

9. Sections 20(13), 33(8), 43(7) and 48(6) are deleted and the following substituted therefor under the respective section and subsection:

> "Where public and separate schools were built as of the date of the adoption of this By-law, the schools and their use by any of the uses listed in Section 51, shall be deemed to be conforming as if they were so designated by Section 51 of this By-law."

10. Section 51 is deleted in its entirety and the following is substituted therefor:

"51.PE PUBLIC PARK, SCHOOL AND RECREATION DISTRICT"

(1) PURPOSE

The purpose of this district is to provide for educational, recreational and conservation uses.

(2) PERMITTED USES

Natural areas
Parks and recreation areas
Public and separate Schools
Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Special Districts contained in Section 48, the following rules shall apply:

(a) Yards

All yards shall have a minimum depth of 6 metres or a depth equal to the height of the face of the principal building adjacent to the property line, whichever is the greater.

(b) Landscaped Area

(i) For school buildings, the following areas shall be landscaped:

(A) the front yard,
(B) any minimum required side or rear yard where there is no intervening playfield or play area between the school building and the street,
(C) any area between a parking area and the school building and between a parking area and an abutting residential district, and
(D) all adjoining City boulevards.

(ii) For all other uses, the following areas shall be landscaped:

(A) all minimum required yards, and
(B) all adjoining City boulevards.

(c) Outside Storage

Outside storage shall be visually screened from all adjacent sites and public thoroughfares.

(d) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste By-law and shall be visually screened from all adjacent sites and public thoroughfares.

(e) Right-of-Way Setbacks

See Section 17.

(f) Parking

See Section 18.

(g) Airport Vicinity Special Regulations

See Section 19.

(h) Floodway Floodplain Special Regulations

See Section 19.1

(4) DISCRETIONARY USES

(a) Subject to provisions of the Planning Act that may affect reserve lands, the following uses may be allowed only within buildings used, or previously used, as public or separate schools:

Child care facilities (N.P.)
Educational establishments (N.P.)
Private schools (N.P.)
School purposes (N.P.)

(b) In addition to the uses contained in Section 51(4)(a), and subject to provisions of the Planning Act that may affect reserve lands, the following uses may be allowed within this district:

Athletic and recreational facilities
Cemeteries and crematoriums
Community association buildings
Park maintenance and service facilities
Public and quasi-public building (N.P.)
Signs

Note: N.P.- Notice posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Special Districts contained in Section 48 and the Permitted Use Rules contained in Section 51(3), the following rules shall apply:

(a) School Sites

Where a current or former public or separate school site is used for other purposes, the Approving Authority shall be satisfied the proposed use, and any related parking and development requirements, will not adversely affect the surrounding residential area either directly or by its impact on existing playing fields and landscaped areas.

(b) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

In addition to the land use rules for Discretionary Uses contained in Section 51(5), the Approving Authority may impose conditions on a development permit as provided for in Section 11(2)(a)(i).

11. This By-law shall come into force upon receiving third reading.

READ A FIRST TIME THIS DAY OF A.D., 1990

READ A SECOND TIME THIS DAY OF A.D., 1990

READ A THIRD TIME AND PASSED THIS DAY OF A.D., 1990

_____
MAYOR

_____
CITY CLERK

BY-LAW NUMBER 8P90

Being a By-law of the City of Calgary to amend the City of Calgary Land Use By-law.

WHEREAS it is desirable to amend The City of Calgary Land Use By-law Number 2P80;

NOW THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The City of Calgary Land Use By-law, being By-law 2P80, is hereby amended as follows:

2. Bylaw 2P80 is amended by deleting the words "Planning Department" wherever they appear and substituting therefor the words "Planning and Building Department".

3. Bylaw 2P80 is amended by deleting the words "Director of Planning" wherever they appear and substituting therefor the words "Director of Planning and Building".

4. The recitals to Bylaw number 2P80 are amended by deleting the words "The Planning Act, 1977, Statutes of Alberta, 1977" and substituting the following therefor:

   "the Planning Act, Revised Statutes of Alberta, 1980, Chapter P-9".

5. a) Section 5 (1) is amended by deleting "86/77" and substituting "53M84" therefor.

   b) Section 5 (3) is amended by deleting "Section 6 of the Aeronautics Act, Revised Statutes of Canada 1970" and by substituting therefor "Section 8 of the Aeronautics Act, Chapter A2, Revised Statutes of Canada 1985".

   c) Section 5 (4) is amended by deleting "The Clean Air Act, Statutes of Alberta 1971, Chapter 16" and by substituting therefor "The Clean Air Act, Revised Statutes of Alberta 1980, Chapter C-12".

   d) Section 5 (5) is amended by deleting "70/61" and substituting "12M80" therefor.

   e) Section 5 (7) is amended by deleting "1970, Chapter 120", and substituting therefor "1980, Chapter E-6".

   f) Section 5 (9) is amended by deleting "85/76" and substituting "32M88" therefor.

   g) Section 5, (11) is amended by deleting the words "or Planning Act 1977".

   h) Section 5 (12) is amended by deleting "1970, Chapter 329" and by substituting therefor "1980, Chapter S-3".

   i) Section 5 (13) is amended by deleting "1970, Chapter 171" and by substituting therefor "1980, Chapter S-13".

   j) Section 5 (14) is amended by deleting "27/75" and by substituting therefor "8M80".

k) Section 5 (15) is amended by deleting "9023" and by substituting "13M82" therefor.

6. Section 13(2)(b) is amended by deleting "or CB-1".

7. Section 41(3)(j) is deleted.

8. Section 41(2) is amended by adding the following:

"(j) Floodway Floodplain Special Regulations. See Section 19.1."

9. Section 42(4) is amended by deleting "gaming establishment - bingo".

10. Section 42(3) is amended by adding (alphabetically) the following:

"gaming establishment - bingo".

11. The footnote to Bonus Density Table, Bonus Group A, of Section 42.3 is amended by the deletion of "(5)(a)(ii)(B)" and substituting "(5)(a)(ii)(C)" therefor.

12. Section 32(3) is amended by adding the following:

"(m) Floodway Floodplain Special Regulations. See Section 19.1."

13. This By-law shall come into force upon receiving third reading.

READ A FIRST TIME THIS DAY OF A.D., 1990

READ A SECOND TIME THIS DAY OF A.D., 1990

READ A THIRD TIME AND PASSED THIS DAY OF A.D., 1990

_____
MAYOR

_____
CITY CLERK